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FUS SACRUM,
OR, A
DISCOURSE
Wherein it is fully
Prov'd and Demonstrated,
THAT NO
PRINCE
Ought to to be DEPRIV'D of his
NATURAL RIGHT
On ACCOUNT of
RELIGION, &c.

The Second Edition.

L O N D O N

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FUS SACRUM,

&c.

OF all Truths those that are contained in Holy Writ carry the greatest Authority with them, and the only way to be thoroughly Convinced of the Certainty of what I have undertaken to Demonstrate, is in the first Place, to make a strict Enquiry into such Portions of Scripture as relate to it. These are so many, and so irrefragable, as to put it out of the Power of any reasonable and unprejudiced Casuist, not to give into the Belief of them; and they are of such an indisputable Weight and Strength as even to compel *Scepticism* it self to acknowledge their Veracity. But as all Demonstrations take their Rise from, and are founded upon, such and such Postulata, which are to

be taken for Granted, so I am to deduce mine from these following Propositions. *First*, I take upon me to affirm that *Monarchy is of Divine Institution*. *Secondly*, That *Hereditary Succession to that Monarchy is likewise Ordained and Established by God*. *Thirdly*, That *Kings are accountable to none but God, and therefore cannot be divested of their Kingdoms or Characters but by God Himself*.

I am not insensible that the foregoing Assertions, may be misinterpreted, as if le- vell'd at a certain Visionary Scheme, which is without any manner of Grounds, said by the *Ruin'd Party*, to be now in Agitation amongst the Persons who have timely Rescued us from their Male-Administration; but since I am Conscious to my self of having no Retrospect to any thing of ill Tendency, I shall pursue my Endeavours to make the Truth of each of my Three Propositions appear in their proper Order, as previous to the Proof which the Title of this Pamphlet obliges me to give the Reader full Satisfaction in.

To begin therefore with the First, *That Monarchy is of Divine Institution*, and that God appointed Kings to Rule over his People. In Confirmation of this Truth; *By me Kings Reign*, saith the Lord; *and Princes decree Justice*. Prov. viii. 15. And, *Samuel said to Saul, That the Lord hath rent the Kingdom of Israel from Thee, and given it to a Neighbour of Thine, that is better than Thou*. i Sam. xv. 28. And in another Place, *I anointed thee King over Israel, and gave thee the House of Israel and Judah*. ii Sam. xii. 7. 8. And
Solomon

Solomon sware as the Lord liveth, which hath Established me, and set me on the Throne of David my Father. *ii Kings ii. 24.* And afterward to Jeroboam the Lord saith, *I will rend the Kingdom from the Hand of Solomon, and give Ten Tribes to thee. i Kings xi. 31.* And of the same Jeroboam, For as much, as I exalted Thee from among the People, and made Thee Prince over my People Israel, and rent the Kingdom from the House of David, and gave it to Thee. *i Kings xiv. 7, 8.* And in another Place, For as much as I raised Thee out of the Dust, and made Thee Ruler over my People Israel. So *Ver. 14.* The Lord shall raise up a King over Israel, who shall cut off the House of Jeroboam that Day. 'Tis God that raises the Poor out of the Dust, and lifteth up the Beggar from the Dung-hill, to set them among Princes, and to make them Inherit the Throne of Glory. *i Sam. ii. 8.* And the Royal Psalmist saith, That, God was his Shield or Protector, who subdued his People under Him. *Psalms cxliv. 2. i. e.* Who gave him Power and Authority over his People. St. Paul tells us; That, There is no Power but of God: Whosoever therefore Resisteth the Power, Resisteth the Ordinance of God: And they that Resist shall Receive to themselves Damnation. *Rom. xiii. 1, 2.* To give an Instance nearer to the Beginning of the World, we find Kingly Power not only Vested in the Four Kings that Invaded the Five, that lived in the Plain of Gomorrah, but in Abimelech King of Gera, or of the Philistins; There was likewise Pharoah, and Melchisedech King of Selem, who being a great Type of our Blessed

fed Saviour, deserves in an especial Manner to be remember'd ; To be sure he would never have born that Office of a King, unless he had been perfectly assured that Kingdoms were of *God's appointments*, and approved of by the King of Kings: *Moses* was appointed of God, to be Leader of his People, and also by Him Honoured with the Name of King. *And he was King in Jeshurun, when the Heads of the People and the Tribes of Israel were gathered together.* Deut. xxxiii. 5. No doubt he had a Kingly Power, and seeing the thing is undeniable, 'tis to no Purpose to contest the Word ; *Philo Judæus*, calls *Moses* a Great King, and a most Holy Prophet. When God Ordain'd a Form of Government for his People, and gave them his Laws by *Moses* ; among others he also gave the Law, and declared what the Manner of the King should be, that should be set over Them. Now what imaginable Account can be given of this *Manner of their King*, Instituted by God, if he did not approve both of Kings and Kingdoms, as being of his own Appointment. And *Moses* before his Death, from his great Concern for God's People, prays that God would be pleased to chuse one Man over them, who might go out and come in before them, that is, Govern them, and by God's Designation appointed *Josuah* his Successor. Numb. xxvii. 17, 18. Why did he pray so earnestly to the Lord the God of the Spirit of all Flesh, to set one Man over the Congregation, if it was not that he preferr'd the Government by one to all other Forms of Government ?

Government? Or would God have granted his Petition, unless he had approved of the Government of One as the most Equitable and Profitable for Ruling so great a People? Neither ought we to think that *Joshua* would have agreed to it, had he not been fully satisfied, that it was according to the Will of God, and that God was the Author of that Kind of Government. It deserves our Regard also, that among other great Blessings, which God promised His People, the chief is, That He would make them a *Kingdom of Priests*, or Royal Priesthood, *Exod. x. 6. i. e.* a Pious and Righteous *Kingdom*, and Obedient to the Laws of God. After *Joshua*, other Judges Ruled over them with a Kingly Power, which chiefly consists in Judging them, that is, Administring Justice impartially to them, and being their Commander in War, Leading them forth to Battle against their Enemies, for God was pleased to give *the Power of Peace and War to One*, so that there was no Place for Aristocracy or Popular Elections. It was God alone that *raised up those Judges*. *Judg. iii. 9 and 15, &c.* and He raised them up a Saviour or Deliverer, *i. e.* He stirred up the People to assemble together under one Commander, appointed by Himself to make Head against their Enemies; tho' in those Days the Civil Government was not fully settled among them. But when the Time came in which God was to settle its Form in all the Demensions of it, He neither appointed Aristocracy nor Democracy. So far from it, that there is no mention of one or other
of

of those Governments in all the Sacred Scriptures. Whereas He appointed Kingly Government, first in the Person of *Saul*, and afterwards in *David*, and his Seed for ever. And they who would not own *Saul*, but *Despised him and brought him no Presents*, are Branded as Sons of *Belial*. i *Sam.* x. 27. Monarchy alone was the Government received in that State, tho' there has not been an Age of greater Vertues, or so far from the Horrid Crimes which at this Day Oppress us. Again the Conspiracy of *Korah*, *Dathan*, and *Abiram*, and other Two Hundred and Fifty Princes in *Israel*, and their Punishment, witnesses sufficiently how greatly God abhors and detests either *Aristocracy* or *Democracy*. For when these Rebels envied the Monarchy of *Moses*, and could not bear his Sovereignty, but aimed to share with him in the Government in an Aristocratical Manner, and broke forth into such Seditious Expressions as these. *Ye take too much upon you, seeing all the Congregation are Holy every one of them, and the Lord is among them, wherefore then lift you up your selves above the Congregation of the Lord.* Numb. xvi. 3. By which Words it is plain, they desired to be joined with *Moses* and *Aaron* in a Partnership of the Governing Power, God gave Sentence against them by a New and Wonderful Event, for the Earth open'd its Mouth to receive them, and the Remainder was Consumed with Fire from Heaven,

From all these Testimonies, and many more, which we are plentifully Furnish'd with in Holy Writ, it is most Evident to all

all Candid and Ingenious Persons, that Kings were at first Ordain'd by God; even our very Adversaries are forced against their Wills, to own this Truth, that Monarchy was from the Beginning, of God's Appointment, and brought in by Him, as the true Expedient for Restraining the Ambition of some, preventing or removing Strife and Factions, and obliging his People to live Orderly: Which can never be hoped for, but when good Laws and good Government take Place, and are Obey'd.

That Order therefore ought inviolably to be kept, which God Himself Instituted, *i. e.* all other Creatures are to be ever Subject to, and Obey Man; Men to Honor their King, and the King to Obey God, to whom he is Accountable. For we have received the Form of Government, or Publick Administration, to Wit, Monarchy from the Immortal God, as well as our being Men, whereby we are fit for Society, as *Aristotle* says, *Lib. 1. Polit.* That the Heroes of that Golden Age, yea, the very Gods (*whose Lives,* says he, *were most Happy*) lived under Monarchy; and I have made it appear from the Sacred History, from which only we have true Accounts of the First Ages of the World, that Monarchy then obtained. Therefore my Second Particular is in the next Place to be proved, which is, That *Hereditary Succession to the Monarchy* we are here Treating of, *was Ordained and Established by God.* That the Truth of this may more fully appear, I shall consult the *Law of God*, the *Law of Nature*, the *Reason*, the *Experience*, and the *Consent* of Mankind.

Nature, the Civil Law, and the Common Law.

In the perusal of the Divine Law, we are obliged carefully to observe what it commands us to do, or what is proposed in it for our Imitation ; Neither are the Examples which we are to deduce from thence, to have less Weight, than those Things which are expressly Comanded us, unless they be found to be Inconsistent with the General Rule and Analogy of Faith. The Writers of Republican Tenets urge in Opposition to us, that no plain and express Place of Scripture can be brought to prove, that this Succession of Kingdoms, was Instituted by God : For there is no mention made, say they, that *Melchisedech's* Children did Succeed him in the Kingdom. This I grant is True. But yet, it is Evident, That at that Time, *Kingdoms were Hereditary*. For besides the *Assyrian* Monarchy which was of long Continuance, full One Thousand Three Hundred Years from *Nimrod* the First King, and without interruption descended from Father to Son, *Abimelech* King of *Gerar* is an undeniable Instance. For when he made a Covenant with *Abraham*, which was solemnly Sworn to, *Abraham* was not only obliged to do no Harm to *Abimelech* himself, but it is also in plain Words expressly provided, that no Injury shall be done to his Son, or his Son's Son, by which may be understood his Lawful Heirs for ever, who should Reign after Him ; and that not as *Private Men*, but as Princes of the Country, and Successors in the Kingdom, to whom *Abraham*

by

by Vertue of that Covenant was to do no Harm, not to their Country wherein he Sojourn'd. *Gen. xxi. 22, 23, 24* To this *Ali-melech* another of the same Name did succeed, who most probably, was the Son of the former : For had he been the same Person that made that Treaty with *Abraham*, he would not have offer'd to wrong *Isaac* contrary to his Oath, wherein he confirm'd the Covenant made with *Abraham*. He attempted the same thing against *Isaac*, as his Father did against *Abraham*, but by another Covenant, confirm'd by the like Oath, Peace and Friendship was Restor'd and Re-establish'd between them. *Abraham* was but a Sojourner in a strange Land, tho' he was Rich and Powerful: But when God had promis'd that his Posterity should possess the Gates of their Enemies, and that he should be Heir of the World, and other Kingdoms should be in Subjection to them, he gave Gifts to his other Children and sent them away: But he obtain'd from God, the promise of his Kingdom to none but *Isaac* his First-Born. When ever this Promise was renew'd by the Lord to *Isaac* and *Jacob*, it ever had this added it it, *and to thy Seed*; intimating to all, that the Hereditary Succession of a Kingdom, was then Instituted by God, amongst his own People whom he chose from among the Nations, as his peculiar Inheritance. We find also, that when *Jacob*, before his Death, perceiv'd that the Kingdom of *Israel* was to Descend to the Posterity of *Judah*, he foretold at the same Time by Divine Inspiration, that the Kingdom should be Hereditary; For says He,

The Scepter shall not depart from Judah, nor a Law-giver from between his Feet, or from being of his Seed, till Shiloh shall come. *Josephus* likewise affirms, that *Pharaoh* who oppressed the Children of *Israel*, was the Great Grandson of *Pharaoh* whose Dreams were Interpreted by *Joseph* the Patriarch, and by whom he was so highly Esteemed. But if these Instances, which are now brought, do not appear clear, nor sufficient enough to prove and confirm our Proposition, let us go on to more evident, and unexceptionable Proofs.

After God had delivered His own People from the *Egyptian* Bondage, He appointed Two Orders of Dignities or Magistrates among them, *viz.* the *Priestly* and the *Kingly*, and both of them Hereditary. As for the *Priestly* Dignity He Instituted it so at First, that the Son was always to succeed his Father in the Priesthood. So that the Priesthood or Pontifical Order after the Death of the former Priest, devolved always upon his nearest Kinsman. This Order of Succession was never interrupted until *Arislobulus* thrust out his Elder Brother *Hyrchanus* at once both from the Priesthood, and the Royal Dignity. But it was not long before this *Arislobulus* met with the due Reward of his Treason, under *Pompey* the Great, which shews how God's Anger is kindled against those who without any Colour of Justice, take upon them the Right of Inheritance.

The other Order which God Appointed was in the Succession to the Kingdom, and to the Temporal Estates. This concerning the Rights of Succession seem'd at first to be an Intricate Case, until the Daughters of *Zelophehad's*

had's Claim obliged Moses to consult God about it, no particular Law having been then given the Children of Israel about Succession in Things of that Nature. The Result of Moses his Enquiry was the Lords appointing a Law for that purpose, which was from thenceforth inviolably to be observed. The true State of the Case was this. Numb. 36. The Daughters of Zeophehad's stood before the Moses and Elezar the Priest, and before the Princes, the chief of the Fathers and all the Congregation of the Children of Israel, and said, our Fathers died without Sons or Male offspring, and that it was not Right that their Fathers Name should be done away from their Family because he had no Sons: And Therefore, they desire of Moses that the Inheritance which their Father had, tho' only in Prospekt, might be given to them among the Brethren of their Father, the Families of the Tribe of Manasseh. Moses hereupon brought their Cause before the Lord, and the Lord returned this Answer. The Daughters of Zeophehad speak right, their Petition was just, and thou shalt surely give them a Possession of an Inheritance, among their Fathers Brethren; and thou shalt cause the Inheritance of their Father to pass unto them. And thou shalt speak unto the Children of Israel after this manner, If a Man die, and have no Sons, then shall ye cause his Inheritance to pass unto his Daughter. And if he have no Daughter; then shall ye give his Inheritance unto his Brethren. And if he have no Brethren, then shall ye give his Inheritance unto his Father's Brethren. And if his Father have no Brethren, then shall ye give his Inheritance unto his Kinsman, that is next to him of his Family,

and he shall Possess it, and it shall be a Statute of Judgment, &c. And in the ninth Verse of the same Chapter. *The Inheritance shall not be removed from one Tribe to another, or as we say, from one Family to another.* This Ordinance and Commandment of God in the Case of Succession, is clearly propos'd to us, and is of the Nature of those Precepts, which do continually bind and oblige us. This Law of Succession commands, that when any Man dies, his Children shall Succeed Him. And if his Inheritance be not to be divided, then his First born (whose Right God always favours) shall possess it. But if he have no Sons, then the Succession devolves to his Daughters: And if he have neither Sons nor Daughters, then, his Inheritance is transfer'd to his Brothers; if he have no Brothers then his Fathers Brothers (in which Words his Aunts or Fathers Sisters are comprehended) are to succeed him in his Estate. But lastly, these failing too, he who is his Kinsman, and next in Blood to the Inheritance of the Deceas'd. The Resolution shown of this Case is Easy, if we yield our Assent to God speaking to us, who when he speaks Commands *the Heavens to hear, and the Earth to give Ear and tremble.* Nor let any Man flatter Himself with hopes to escape Divine Vengeance, if he presumes to overturn what God has Instituted.

But that none may think that this Order of Succession concerns only Private Families, I shall recite that Place in *Deut. xvii. 15. 20.* relating to the manner and Choice of the King. There the Lord allows not to his People, the free Choice of their King, but commands them to chuse him, or to set *Him over them*

them in any wise whom the Lord their God should chuse (who now makes use only of Ordinary Succession instead of Ordinary Designation or Election.) In that place God is pleased to appoint Him what He was to do, and what he was to avoid, adding lastly, *That he may prolong his Days in his Kingdom, he and his Children in the midst of Israel.* The adding these words (and his Children) makes it Evident, that the Kingdom was to be Hereditary, otherwise there was no Occasion to make mention of his Children.

Saul did not doubt, but according to the foregoing Law, his Son Jonathan was to succeed him in the Kingdom, as appears from what he said to Him. *i Sam, 20. 30. Thou Son of the Perverse Woman do not I know that thou hast chosen the Son of Jesse to thine own Confusion, and unto the Confusion, of thy Mother? For as long as the Son of Jesse liveth thou shalt not be Established nor thy Kingdom.* For to what purpose would Saul have mention'd him and his Kingdom, if it had not been the Custom then for the Succession of a Kingdom to devolve on the Son after the Death of the Father, and he Objected to him that David only would undoubtedly withstand his Establishment in the Kingdom. Because he knew very well from Samuel that God had appointed David to be King over his People.

David had not only the Kingdom of Israel promis'd to him, from the Mouth of God, by the Prophet Nathan; but had it also Establish'd and Confirm'd to him and his Family, as their Inheritance for ever. For the Lord made a Covenant with Him in full Form; the Tenour and Purport of which

which Stipulation is plainly deliver'd to us in *Psal. lxxxix. I have sworn, saith the Lord, to my Servant David. His Seed shall endure for ever, and his Throne as the Sun before me, &c.* That is, I have sworn to my Servant *David*, that I will continue his *Seed* or *Posterity*, on the Throne of their Father, and confirm the Kingdom to them. My Benignity and Goodness will I continue to his Family. His Seed will I make to endure for ever, and his Throne as the Days of Heaven. Tho' his Children should forsake God's Law, He threatens only to Chastise them for their Iniquities, not to withhold them from the Exercise of the Sovereign Authority, because of his Covenant with *David's* Seed for ever. So when God had propos'd to accumulate His Blessings on the same Royal Psalmist, He promis'd a *Successory* or *Hereditary* Kingdom to him, and to his Children after him, and that there should always be a King in *Israel* of his Posterity. And *David* himself frequently calls the Kingdom of *Israel* his own Inheritance. Even, tho' *Abijam* was no good King, yet after his Death, the Lord for the sake of His Servant *David*, gave him a Lamp in *Jerusalem*, and sate up *Aja* his Son to succeed Him.

But the Truth of this Proposition relating to Succession, is not more Evident from those Examples which I have already brought from the Old Testament, than it is from the Express Words of our Blessed Lord in the New. Nothing occurs oftner in Sacred History, than this Enthymeme. *He is a Son, therefore Heir.* The Holy Scriptures had
never

never made use of such an Inference, unless it had been a necessary Consequence, and an undoubted Axiom or Maxim. For when the *LORD* speaks to his Anointed and declares him his Son. *Thou art my Son, this Day have I begotten thee,* He presently adds, *and I shall give Thee the Heavens for thine Inheritance, and the uttermost Parts of the Earth for thy Possession.* Psalm ii. 7, 8. Here his Nomination to be his Heir of necessity follows his being owned his Son: As if God had said, *Thou art my Son,* therefore Heir; and I will give Thee the whole Compass of the Earth for an Inheritance. The first Position being certain, that of his *Sonship*, the other is as certain, that of his *Heirship*, for by the most accurate Rules of Reasoning, if both those Positions do not hold, neither of them do: *Se mutuo ponunt et tollunt.* This makes me the more admire at the Ignorance or Arrogance of such Men, who give into the Opinion, or Advance it, that Inheritance in Empires and Kingdoms does not appertain to the Children of Hereditary *Monarchs.*

The Examples which the New Testament (which is the Noon Day Light, both as to its Revelations and Reasoning) affords us, are still more bright and clear in this Case, For in that Parable of our Saviour. *Math. xxi. 3. &c. When the House holder had planted a Vineyard, and sent his Servants that he might receive the Fruits of it, the Husbandmen took his Servants, and Beat one, and Killed another, and Stoned another.* In fine they repulsed and Evil treated all his Servants. *At last, says he, I will send my Son, for Him they will Reverence.* But the Keepers of the Vineyard or Husbandmen,

bandmen, as soon as they saw the Son, consulted among themselves; this is the Heir, let us Kill him and the Inheritance will be ours. No doubt they encouraged one another to commit this Wickedness, from the Knowledge or Instinct that they had from the Divine Law, and the Law of Nature, that by this nefarious Practice, they should attain their End, for it is not to be presumed that they were Skilful in Humane Laws. Who taught them that the Son was Heir to his Father? Or that the Vineyard was in Right of Inheritance his by Succession? They had no Instructor, but that *Divina Particula Aura*, that Spark of the Divinity or Remainder of the Law of Nature, which was still to be found in the Minds of Men.

To the same Purpose is that Text. *Matth. viii. 11.* When the Lord says, That many shall come from the East, and from the West, and shall sit down with Abraham, and Isaac, and Jacob in the Kingdom of Heaven. But the Children of the Kingdom shall be cast out. Which imports no more than this, That the *Israelites* to whom the Kingdom belonged by an *Hereditary Right*, were to be cast out or rejected, seeing God does commonly Transfer a Kingdom, tho' the People have no Right to do it, from one Family to another, for the Ingratitude and Sins of that Family.

But of all other Texts, that Argument which the Apostles useth, *Rom. viii. 17.* Pinches the Anti-hereditarians most: And if Children then Heirs. 'Tis observable in this saying, That *St. Paul* put his Argument into an Enthymeme so to make this entire
Syllogism

Syllogism one Proposition, which was understood or supposed, must be supplied from the Law of God: It is most certain, he meant no other Law; That every Son was always Heir to his Father, the Text gives us the Assumption, *But ye are Children therefore Heirs*. There is a plain Coherence and Consistency between all the Parts or Propositions of this Syllogism. For the Apostle takes it for granted, that by the Divine Law every Son was Heir; so that Proposition being manifest, or obvious to all, he was under no Necessity of proving it. 'Tis the common Way according to the Rules of Disputation where we argue Enthymematically, to pass over that Proposition in Silence, which is obvious to, and confess'd by all, that we may not like Children bring that in Question, which no Body doubts of. As for the Assumption and Conclusion, we have them clearly in the Text, neither could they be inferred from any other Proposition. This Proposition then is a firm and undoubted Axiome, that Children by Divine Right, do necessarily succeed, and are to be call'd to the Inheritance of Fathers.

The Author of the Epistle to the *Hebrews* makes use of the same Argument: For after he has told us, That *God hath at last spoken to us by His Son*, he adds immediatly as a necessary Consequence, *whom He hath appointed Heir of all Things*, *Heb. i. 2.* plainly intimating, that he would not be a Son, if he was not Heir at the same Time: Not that I would be understood to restrain this to the first Descent from Parents, but to extend it to all Degrees of Blood. And I have our

Blessed Saviour's Authority for so doing; for he said, *That, it is not meet to take the Childrens Bread, that is, the Bread of the Children of Israel, and to cast it unto Dogs.* Mark vii. 27. The Name of Children is to all the Descendants from the Stock: And if there be no Descendants, in a straight Line from the Stock, then it goes to the next in Blood of the Collateral Branches.

The next Thing to be consulted on this Head is the *Law of Nature*, which signifies *that Law which is neither given by any Positive Law, nor receiv'd, but bred and born in our Nature, or so deeply grafted and planted there, that it cannot be pluck'd out or abolished.* Wherefore when we speak of Hereditary Succession, that it springs from the Law of Nature, it is to be understood as a Law common to all Men: For the Care of Succession seems only to belong to Men, who are united among themselves by some Tye of Birth or Kindred. Wherefore Florentinus was in the Right (*Lib. 3 de Justitia & Jure*) when he said, *That Nature has made or ordained a kind of Blood Relation among us; for from Nature the Rights of Consanguinity and Blood descend, which cannot be destroy'd by any Civil Law; And that Reason which takes its Rise from Nature, cannot be alter'd, no, not by any Authority of Lawyers.* And therefore seeing Maintenance is owing to Children by the Law of Nature, they cannot lose their Right to it by any Compact. In like Manner, the Lawful Provisions for Children, which ought to be made, by the same Law, cannot be taken away by any Pact or Statute, according to the Opinion of the ablest Expositors
of

of the Law. For this Natural Provision does so affect Men, that its held for immutable by Universal Consent. For if we are at Liberty to destroy Succession, to what Purpose are those Rights of Birth and Blood? In Contracts or Bargains the Rights of Blood are not minded; no Regard is had to them, they are not more or less valued upon the Account of Consanguinity: But both Parties come under a Necessity of performing their Respective Engagements, as they are in Stipulations, Suretyships, Releases, Pacts, or Transactions, there is no Place left for Relation in Blood, 'tis never consider'd. And if succession be taken away, what signifies Kindred or Right by Blood? For it is not easy to make it agreeable to any other Law. Hence comes that common saying, that *Love naturally descends, but does not ascend*. So the Case of Succession seems to appertain to Men only, and to flow from the Law of Nature, taken in its strictest propriety, as distinguish'd from the Law of Nations.

Let us consider then, what Vast care Men take for the Propagation of their Families, and with what extreme Ardor Parents make Provision for their Posterity that comes after them. This is the very spring all their Cares, Anxiety, Labour, and Dangers which they are daily, nay hourly, conversant with. 'Tis not for themselves only, but those that are to Inherit their Estates after them, that they Plant Trees whose Fruit they are never to Eat of, that they build Houses, tho' they know that in a short time their survivors are to inhabit them, that they heap up Riches for others to gather them, and provide Furniture,

the meanest Part of which is thought good enough for themselves, that they may leave the best to their Children. 'Tis more easie to drive away Nature herself from her Abode in Mens Minds, than the Law and Care of Succession. For Succession is the Foundation and Cause of all Laws, and is to be regarded above all other Rights, because they were all Instituted for the sake of it, and it has the first Place in the Procreation of Children; as is evident from the Canon and Civil Law.

From these Decisions then, it is evident that the Succession of Children, and other Relations, is from the *Right* or Law or Nature, and therefore it is not in the Power of any Person to alter it: And they who violate that Succession which one has Right to by Blood, and Birth, undoubtedly offer Violence to Nature herself, because the Succession of Kindred by way of Primogeniture is from the Law of Nature.

What tolerable Account than can be given by the Faction, that is now for exploding *Hereditary Rights*, or the Rights of Inheritance in the Successions of Princes, and for allowing them in Private Persons, why the Royal Children or Descendants should be defrauded of the just Reward of their Ancestors Merits, more than those of Meaner Extraction?

Henry the Eighth of *England* provides by a Statute, that in Default of Issue from his own Body, the Succession to that Crown, should according to the Common Law of Succession devolve upon the Head of the next of Kin. *Stat. Hen. 8. 22. Regn.* and that all may be convinced that it was the received Opinion in all Ages, that Succession was a
Branch

Branch of the Law of Nature, and the Prerogative of Blood and Birth, that remarkable Contest between *Perseus* and *Demetrius* in the Presence of their Father *Phillip* plainly shews us. For when *Perseus* accused his Brother *Demetrius* of Aspiring to the Kingdom. *You would Reign*, said he but my Age (for he was the Eldest Son) *destroys your Hopes: The Law of Nations is an obstacle to you, the ancient Custom of the Kingdom of Macedon is in your way, the Determination of our Father also keeps you back from the Kingdom, you cannot raise your self to the Throne but through my Blood.* That is by Violating the Right of Blood. And afterwards *Perseus* lays of the same *Demetrius*. *He covets the Kingdom and Wickedly too, who hastens to break through the order of Age, Nature, the Customs of Macedonians, and the Law of Nations,*

Hence it is manifest, that it is both the same Voice of God and Nature, that he who is next in Blood to the Deceased, has Right to his Inheritance. These Bonds of Nature are stronger than to be broken by Violence, or any Pretences or Colours of Law. For this is Natural Justice, or the Natural Law which gives to every one their due, and can never be so much as call'd in Question, seing there is no Obscurity, no doubtfullness in it, as in those Things which take their Rise, depend upon, and have their Progress from Errors, or the uncertain, and ever changeable Opinion of Men, but it is deriv'd from the Light and Splendor of the Eternal mind. But if there be any who doubts whether all Succession be of, and from, the Law of Nature, or of Natural Right, I desire him to Examine
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and look into Himself by searching his own Heart, and I dare appeal to Himself if he finds not there that *παραφύσικη* or natural Affection towards his Children, so that if he had never so great Possessions he would leave them all to them. I shall not decline his Judgment, if he have Children Himself: For such as have no Children, are not sensible of this Natural Affection. 'Twas observed of *Agésilas*, that after Dinner when there was no Company with Him, he used to Play, and ride on a Stick with his Children, upon which one smiling at it said, who would believe that so great a General, famous for so many great Atchievements should ride about after such a Boyish manner? *Agésilas* answer'd him immediately, *Do not* says he, *Condemn me until you have also Children of your own.*

The *Civil* Law likewise is so positive, in Defence of Hereditary Right, as to say the Prince himself, much less the People who are under his Subjection, cannot take away the Succession that belongs to his true and Lawful *Heir*. For which many Reasons are brought. Among these the first Reason is, because a Prince cannot Legitimate his Bastard Son, to the Prejudice of one Born in Wedlock and bred up in the hopes of Sovereignty, to the Prejudice I say of Him, or of the Succession due to Him, tho' only in Hope. No, though he should make use of the Plenitude or full Extent of his Authority or Power. For to Legitimate is nothing else but a Remedy for the Baseness of any one's Birth, or a taking off the Stain and Incapacity wherewith the Bastard is affected. That it is not in the Power of the Prince to do this the Lawyers make appear

appear after this manner. ‘ If the Patron be
 ‘ unwilling, notwithstanding he has a Right
 ‘ only by the Civil Law to succeed, in the
 ‘ Estates of them who of Bondmen are made
 ‘ free, the Prince cannot restore to the Pri-
 ‘ vileges of the Freeborn. For one is resto-
 ‘ red to the Privileges of a Free Birth, when
 ‘ from one who had been a Slave he is made
 ‘ a Freeborn Subject, in which Case his Ma-
 ‘ ster or Patron is excluded from succeeding
 ‘ to his Effects after his Decease, and this
 ‘ Restitution to Free Birth, both gives him
 ‘ a Right to dispose of them by his Last Will
 ‘ or Testament, and by that last Will his
 ‘ Successors are enabled to demand and pos-
 ‘ sess them.

Here it is manifest, that Succession, as in
 the Case of a Lawful Son, or in those who of
 Bondmen have been made free, cannot be an-
 null’d or set aside by a Prince, nor can he do
 Prejudice to his Son, in the one or to the Ma-
 ster of the *Libertus* in the other Case. Yea
 ’tis added in the Text *Neque invito ejus Filio*,
 neither can it be done against the Will of his
 Patrons Son, and the Words of the Text are
 Remarkable, least says the Lawyers, *Wrong*
be done to his Son, tho’ the Patron his Father be
as yet alive. In this Place the Lawyers think,
 the Son of the Master might be injured even
 while his Father was alive, tho’ the Son had
 Right to the Goods of the *Libertus*, but only
 in *Hope*, as the Civilians say in Court. If
 then a Prince cannot prejudice the Patron in
 the small inheritance of the *Libertus*, nay, nor
 his Son, who can think that a Prince even of the
Plenitude of his Power can take away a Kingdom,
in which there are so many Inheritances, on which
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the Lives and Safeties of such vast Numbers of People do depend from the Rightful Heir, or Him to whom it is due by Law; and adjudg it to another, who cannot so much as pretend a Right to it, either from God or from Nature?

The second Reason is, Empires and Kingdoms were granted to Men, God alone being the Author, and given by the Heavenly Majesty. God who is infinitely Just, yea Justice it self, cannot be said to have bestow'd Kingdoms for Men to Rule unjustly, such a supposition would maketwo Things very contrary to one another, to meet in God, which cannot so much as be conceiv'd by any Man, without the greatest Impiety, seeing it is not only inconsistent with the Divine Nature, to deliver a Kingdom to any Man for him to Govern it unjustly, but it is plainly and directly repugnant to it. Therefore *Bartolus* infers from hence, that *God has given to no Man the Jurisdiction or License of Sinning, nor of taking away unduely what is another Mans, to give it to one who has no Right to it.*

Let us then strenuously and firmly maintain this Truth, That the very Essence of God is Justice it self, and consequently from the Definition of Justice given by the Lawyers, a most constant and perpetual Will, to render to every Man his own. *Jus suum Cuiq; tribuendi perpetua et constantissima Voluntas*, of this Justice the Prince is only a *Delegate* be he never so great. And therefore if a Prince be the true Image on Earth of this *Essential Justice*, he can never give away the Inheritance of one Man to another. *JUSTINIAN* delivers this Doctrine plainly. The Words of his Text are these. *Nec Imperij est, nec*
Legislari-

Legislationis proptium redigere Filium invitum in Patriam Potestatem, unde necesse est ut ipse consentiat alias invitus submitti non potest Patrie Potestati, &c. It appertains not to the Sovereign Authority, nor to the Legislative to put a Son against his own Will under the Power of his Father, whence it is necessary that he himself consent, otherwise he cannot be constrained to be under his Fathers Power. Therefore it it be no Part of the Governing Power, nor of the Legislative, to take his Right from Him against his Will (for by subjecting a Son to the Power of his Father, the Goods also of the Son accrued to his Father) and so of Necessity the Sons Right was taken from Him; how can any Emperor or King whatsoever, when these are Lawful Heirs take away the Right of Succession in his Kingdom from the true Heir, and give it to another.

The Result of all this, that the Laws and Rights of Succession are not to be violated by any, for they are as it were the mutual Bonds of the State, and a kind of Publick Agreement between Prince and People, which obliges both Parties, yea the Prophet *Jeremiah* testifies that God himself is bound as it were, by Laws, to observe his Covenant with Mankind, *Bring all Nations saith the Lord, that they may Judge between me and my People if I have not done what was to be done by me.* If then the King of Kings says, that he had done nothing, but what he ought to have done, and omitted nothing that he had obliged Himself to do, let then the lesser, who are only breathing Images of this Almighty Sovereign, consider of, and examine their Actions, lest they do that which they ought not to do, lest they abolish or

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destroy

destroy the Law and Right of Succession, that belongs to any Person, which is a Crime that God revenged so severely on *Achab*, who took from *Naboth* the Inheritance of his Fathers. For to offer Violence to the Laws is to Oppress the Common-wealth.

The Municipal or Statute Laws of all Kingdoms and States, that are not Elective speak to the same purpose as those abovemention'd, and it would swell this Phamphlet to a much greater Bulk, than it is intended to be of, should those Passages be Enumerated and Particularized which in our several Acts of Parliament, from the Conqueror to the late Revolution in 1688, have appear'd in Defence of *Hereditary Right*, be produced at this Juncture. For *William the Norman*, took care to have an Oath of Fidelity Sworn twice to Him by all the People, by which they bound themselves to be Faithful to Him, as their own Sovereign Prince and Leige Lord, and to his HEIRS for ever. *William Rufus* likewise required the same Oath of his Subjects, which was readily taken by them; for when he had just Apprehensions of their Affection to the Interest of his Brother *Robert*, Reasons of State induced him to those Measures. But he leaving no Off spring, I shall say no more of him nor any of his Successors till I come to King *Henry the Eighth*, who had a Statute enacted in the 25th Year of his Reign, wherein it was expressly Declared, That the Succession in the Crown, or the Imperial Crown and of the Premisses, is and shall be to Your Majesty, and to Your HEIRS of Your Body, Lawfully Begotten. First to Your SONS, and for Default of such SONS Lawfully Begotten, to other HEIRS, to wit Female,

to the most Serene Princess Elizabeth, and to the Heirs of her Body lawfully begotten: And for default of such Issue, then the said Imperial Crown and all other the Premisses, shall be in the Right Heirs of your Highness for ever by Course of Inheritance, as the Crown of England, HATH BEEN ACCUSTOMED, AND OUGHT TO GO. Which Statute all the Lords Spiritual and Temporal, Barons and Representatives of the Commons, made, or took a Corporal Oath to fulfil, defend, and keep, to their Cunning, Wit, and uttermost of their Power. This Oath was Enacted and Enjoyed by a Statute in the 26th Year of the said King, and has not been Repealed to this Day.

For tho' some Necessary Laws have been since made for the Security of our Religion and Civil Rights, by Consent of the Sovereign Authority, to the Petition of the Three Estates in Parliament Assembled, the Right of Inheritance is still in Force. For if the Succession could be taken away by any particular Statute, it may be ask'd of us, by a Foreign Enquirer, by what Right have the Kings of *England* assumed to themselves also the Title of *France*, when they know that with, and by the Consent of all the Estates of *France*, the Succession of that Kingdom was Adjudged to *Philip of Valois*, against *Edward III.* when otherwise, by the Common Law, the Kingdom was due to *Edward III.* in Right of his Mother.

Thus having discharg'd my self of my second Particular, in which I propos'd to prove *Hereditary Succession to a Monarchy to be of Divine Institution*, &c. I fall of Course into the Consideration of my Third, since it flows of Consequence from it. Because if Kings are

of Gods Appointment, and it is ordain'd by the same Omnipotent Power, who have Right to Succeed them, it necessarily follows, that their Election nor their Titles are owing to the Voice of the People, which makes them independent of their Approbation or Dislike, and Consequently not any ways accountable to them for Male Administration. It is a Maxim in Law, that is as Ancient as our Constitution that *the King can do no Wrong*, and it is laid down for an Assertion, that is of equal Vertue with the rest of the reveal'd Writings in Holy Writ, That *where the Word of a King is, there is Power, and who shall say unto Him, what dost Thou?* And to Controvert these receiv'd Truths, is directly to Embrace Scepticism, and deny our Assent to what must stand the Test in all matters of Dispute: In the Sacred Scriptures I find truly, that Kings are called *Gods Anointed*, and that *such cannot be Guiltless, who stretch forth their Hands against them*: Now if God has honour'd them with his own Name, and has call'd them *Gods and the Sons of the most High*, if the Prince possesses the Seat of Judgment not of Men, but of God, if we are Commanded every where conjunctly, as they say, so as one answer's t'other, *to fear God and Honour the King*; If the King be the Common Father of the Country, and is therefore to be *Honour'd that our Days may be long, in the Land*; If we are obliged to *Obey Magistrates for the Lords sake*, that is, if we desire to please God, *we must be Subject to the King as Supreme*, or Governors sent by him whatsoever they are; if our Lord and Saviour own'd the Power and Authority of *Pilate*, tho' a most unjust Man, to be from God;

God ; if he approved of the Empire of *Tiberius Caesar*, who was also a most unjust Man, by commanding Tribute to be paid him ; and if, as *St. Paul* says, *There is no Power but what is Ordained of God, and they that resist the Power receive to themselves Damnation*, and finally, if we are expressly forbidden, to revile the Gods or to curse the Ruler of thy People, or to speak Evil of the Ruler of thy People, much more are we bound not to do them Evil : Nay if we are reckoned *Sensual, Devilish Wreches, defiling the Flesh, who despise Dominions, and speak Evil of Dignities*, and are said to walk after the Flesh, they despise Government, and being *Presumptuous and Self-will'd*, they are not afraid to speak Evil of Dignities, if any Man who Curses his Father it guilty of Death, and his Lamp is to be put out in *Obscure Darknesh*, much more he who Curses the Father of his Country.

But the Republicans will object, that God did not appoint Tyrants, and that no Reason can be given why they should Reign, who are so far from promoting the Welfare and Safety of the People, that they obstruct it, seeing God cannot be the Author of Evil, tho' He is the first Cause of all Things : And therefore Idolaters, Oppressors, Wicked and Cruel Princes, or Tyrants are not to be suffer'd, but taken out of the Way. To which I answer, had Cruelty been a sufficient Cause for Deposing a King, *Saul's* Government could not have been endured, who caused the Priests of the Lord in *Nob* Four-score and Five most Innocent Men, to be put to Death, for obeying the King, as they thought. *David* after he was chosen by God,
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and Anointed by *Samuel* to be King, who had also pronounced that Sentence against *Saul*; That the Lord had rent the Kingdom from him, and given it to another; yet *David* did not think it Lawful for him, to stretch forth his Hand even against him, whom God had rejected. *Abisha*, was inflamed with a vehement Desire to kill a Wicked Man, tho' a King, and undertook to do it effectually with one thorough Blow, alledging also, that God had delivered him into his Hands, and that he was a Minister appointed by God to promote *David* to the Kingdom, and to destroy a most Impious King. But *David* not only rebuked him severely, but also abjudged *Abner* to be worthy of Death, because of Negligence in not Guarding the Person of his Lord.

I am here interrupted and ask'd, whether Kings are, because unaccountable to the People, bound to do no Justice at all, but Impower'd to do whatever they please to their Subjects, Ravish Virgins, Deflower their Daughters, Debauch their Wives, Kill whom they list, spoil them of their Goods, notwithstanding that Princes were Originally appointed to the Intent, that their Subjects might enjoy Justice and live in Safety under them. That the Design of their Institution was this I readily acknowledge, and that it is a greater Fault Princes to be Wicked than in private Persons, and that one Time or other, they are to give a most strict Account of their Deeds. But when and to whom? When God is pleased to make Inquisition, and enter into Judgment with them, and only to God, not to thee, O Man. For
God

God is a severe Judge and Avenger of Crimes committed by Princes, but from his own determinate and irrevocable Decree, not thine, and in his own Time, not thine, or the Time that any Mortal prescribes to Him. For thou can'st not observe any Temper or Moderation in thy own Cause, or where thou makes thy self a Party, and therefore the Authority of Judging and Punishing is neither permitted to Thee, nor to any one Coordinate with Thee, neither oughtest Thou to think thy self hardly dealt by. For the Judgments of God are no where more severe and frequent, than those he Inflicts on Princes; more Tragical Examples are no where to be found, than in their Ends, who rejoice at the Oppressions of the People, *They shall not, as the Psalmist declares, live out half their Days*; and for their Injustice God transfers Kingdoms from Families to Families, and *the King's Throne is Established by Righteousness.*

We ought also, to be the more easy under a Tyrant's Government, because he is appointed by God to punish the Sins of a People. For these Evils, Pestilence, Famine, Sword and Tyranny are publick Scourges, by which the Lord chastises and restrains People when they come to be too Wanton. 'Tis he indeed who, for the Wickedness of Men changes Kings, and who for the Sins of the People, *causes to cease from Israel the Valiant Man, the Prophet, the Judge, and the Wise Man.* And if the Earth be the Lord's, and He gives it to be Governed by whom He will, who dares oppose himself to His Institution? Who has the Confidence to resist Him?

Him ? For to act contrary to the Determinations of God, and to reject Him, whom he sets over them, is a downright Rebellion against God, and if the Populace should be so successful against their King as to get rid of him, yet another scourge will succeed, and perhaps a more cruel Tyranny.

Let us then keep in our Hearts, and own and confess with our Mouths, what *Solomon* the wisest of Kings has left us for our Direction. *I Counsel thee to keep the Kings Commandment, and that in regard of the Oath of God. Be not hasty to go out of his Sight. Stand not in an Evil Thing, for he doth whatsoever pleases him.* That is, take heed to the King's Commandment, and to the Oath which thou hast given him ; beware that thou turn not away thy Heart from him, or neglect thy Duty, for if thou dost any such thing, he will do with thee what he pleases, and thou shalt not be delivered out of his Hand, whilst he who observes his Laws shall be safe from all Evil : And in another Place, *Fear thou the Lord and the King, and meddle not with them that are given to Change, for their Calamity shall rise suddenly, and who knoweth the Ruin of them both ?* That is in short, those who offer Violence to Kings ; and the Authority and Majesty wherewith God has clothed them, shall be crush'd to Pieces by the Anger and Vengeance of God.

To go a little further with this Argument, Kings would be in a most miserable Condition, should the Liberty of calling them to an Account be allowed to the People. For if the People had Authority over their King, his Reign would be very precarious
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he must be very observant of them, take great Care not to displease them, cajole and meanly ask Favours of them, which would disrobe him of the very Ensigns of Sovereignty: For with what Courage can he punish Crimes, who was set upon the Throne for *the Punishment of Evil Doers*, if he himself may be compell'd to undergo their Sentence, whose Parents, Sons, Brothers and nearer Kinsmen have been Fined, Banished, or put to Death by him tho' never so justly? Will not he be afraid of the Peoples Resentments, and so Endeavour to flatter, sooth, and by all means, do what he thinks will be grateful, rather than expose himself to the Fury of the Multitude, to whose Judgment he is made Subject, whether he will or not, but will either meanly comply with their Demands, or become their Companion in their Crimes or Vices? 'Tis not without the greatest Reason, that the King is exempt from the Bonds of the Laws, and not accountable to the People, for to whom, I would willingly know, shall the Multitude be obliged to give account for their Actions, if Kings be accountable to them? Since the common People are oftner in the Wrong than the worst of Kings, are Subject to more grievous Perturbations, and disorderly Passions, than any, even the most abandon'd King or Prince whatsoever is? And can that be just in the Subject, which is unjust in the King?

The Power therefore of the People over Kings is not to be endured, or is it to be Born with that the Rights of Lawful Power and Authority, should be diminished; seeing as I have already proved, that Power derives not

it self from the People, but the King has his Authority from God, whose Deputy only he is, and to whom alone, as to his Superior, from whom he has his Commission or Delegation, belongs the Hearing and Judging Crown'd Heads. For how grievous soever the Government of a King may seem to be, even to a just Man, yet it is expedient in no Case whatsoever to allow the People the Power of Abdicating their Kings.

But I am here interrupted by an Objection, that says, when the Prince breaks the Original Contract, which is made between him and his People in the Coronation Oath, he ceases to be King, and the Subjects are of Course discharg'd from their Obedience. To this I answer, tho' no Man in his Right Wits, will deny, that the King is bound to the People, yet it does not follow, that in Case he abuses his Power, it is Lawful for them to destroy him and all his Posterity; seeing the people have by their Oath bound themselves as much to his Heirs, as to the King himself. But let us Examine this matter from the beginning of every Principality, to see whether or no this Oath between Prince and People be mutual, or if he be not King, even before he swears that Oath, nay tho' he never take it. For its very certain that he is King before he swears to the Observance of it, seeing as has been said before, his Kingdom is Patrimonial, from which he cannot be excluded, tho' he never takes such an Oath. Moreover every Hereditary King's Reign, begins from the Day of his Predecessors Death, which verifies that
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known Maxim in our Laws, *of the King's never dying*, and this is always before the Coronation, which is often delay'd : And yet he is no less guilty of Treason, who kills a King before his Coronation, than he that perpetrates that horrid Act after the Celebration of that Solemnity. Otherwise, what Treason could have been Objected to Richard III ? Was it the Murther of his Lord and King ? To this *Richard* might have answer'd, that *Edward* the 5th never Reigned, and that he never swore Allegiance to him. Could any Man of Sense ever have endured such an Evasion ? 'Tis therefore undoubtedly true, that they are Kings before they are Crown'd, as it is undeniable that the Oath is not mutual.

'Tis granted, that when Kings are set on the Throne, they are accustomed to take an Oath, but to whom ? Not to the People, but to God alone, who is the sole Avenger of the Breach of it. For as *Alexander* the Emperour said (*Lib ii de-rebus Creditis et Jurejurando*) *Juris jurandi contempti Religio satis Deum habet ultorem*. 'Tis sufficient for the Honour of Religion, that it has God for the Avenger of a violated Oath. So the Judgment of its Violation, is to be referred, not to the people, but to God, to whom the Oath is taken.

My Republican Opposers will Object against this, that for the same Reason, if the people break this Oath, the Avenging of their Perjury is also to be left to God, and the King cannot take Cognizance of it. To which I reply, That the people swear expressly to the King, and the Form of the Oath is such,

as the People are bound by it to the King and to his Heirs for ever, and yet none of the Subjects are punish'd for their Perjury in breaking this Oath ; but for violating his Laws and Royal Majesty and Authority, to whom they are Liege Men, and as such they are bound to defend and maintain the Honour and Dignity of their King ; and if they infringe that, they become obnoxious to Con-
dign Punishment. Wherefore the Oath is not mutual, as is given out falsely by Men of Pernicious Principles, but the King swears to God, and the People swear by God to the King : Yet is the King not less liable to the Divine Vengeance, if he breaks his Oath, than the People are to the Wrath of Man.

But the Prejudice remains still, that if the Original of Political Government be thus immediately from Divine Institution : And that every Ruler now (where there is no Competition by any other, who Claims a better Right than he in Possession) does succeed to the same Divine Right, which God gave to the first Rulers, whom he placed over every People at the first Division of Nations : Then it will follow, that no Ruler can be *Limited* by the People, or any of them, and consequently that all Governments must be *Absolute* and *Arbitrary* : Which makes a Dreadful Sound to English Ears ?

To clear up this, I am here to affirm, that there are *Limitations* of *Concession*, and *Limitations* of *Coercion*. The First sort as well as the Last, are always given by *Superiors* to their *Inferiors*. Thus the Great God is pleased to *Limit* himself when he makes *Covenants*, and
grants

grants *Conditions* to *Mankind* : And is Obliged by his Veracity to perform them. Thus *Fathers* may *Limit* themselves to their *Children*, and thus *Kings* may *Limit* themselves to their *Subjects*, by Granting them such and such Laws and giving them the Assurance of their solemn Oaths to observe them.

This is all the *Original Contract* can be shew'd betwixt King and People. But it is neither *Original* nor *Contract*. First not *Original*, because Laws are made by Kings. Therefore Kings must be before *Laws*. Let the *Law* be produced that made the First King, even here in *England*. We have been under Kings, as far as History can carry us, and all the Laws that we have, have been made by Kings. Our Parliaments do recognize our Kings. See the Acts of Recognition, 1 *Eliz.* c. 3. and 1. *Jac.* c. 1. Where the Parliament acknowledges their prior Right from the Proximity of Blood, which is call'd the Law of God as well as of Man. These Parliaments did not pretend to make them *Kings*, or to bestow the Crown as at their disposal. But did in most *Humble* manner, *Recognize* and *Acknowledge* their Right as from God. And thereunto (says the Parliament) *We most Humbly and Faithfully do Submit and Oblige our selves, Heirs and Posterity for ever, untill the last Drop of our Blood be spent.*

Secondly, Laws which Kings make are no Contracts; they are wholly Concessions on one side. On the side of the King. Our *Magna Charta*, which begins our Statute Book, is wholly and solely from the King, and express'd

press'd to be granted of his *Meer and Free Will*.

Afterwards the Lords or the Commons did humbly Petition to the *King*, that such Laws should be made as the Style of our former Acts sufficiently shews. *Be it enacted by the King, or our Sovereign Lord the King hath ordained, by the advice of the Lords and the Humble Petition of the Commons, &c.*

The Lords might *advise*, and the Commons may *Petition*, but the *Enacting* part is only in the King. He Enacts with their Advice, not they with his, He only is Sovereign, in all causes and over all Persons. Not by way of a Negative Voice, as one of the *Three Co-ordinate Powers* (according to the Style of Forty One ; and our present Fanaticks) for three or Threescore *Negatives* cannot make an Affirmative. A Negative is only saying, This shall not be a Law. But who has Power to say, this shall be a Law ? And whose saying so, does make it a Law ? That is only the King, whose *Fiat* Stamps the Authority of a Law upon what the *Three Estates* have prepared. And if he likes it not, he may *Reject* it. The three Estates may bring Bullion ; but it is the Impression of the *Kings Image* and *Superscription*, and that only, which makes it *Coin*. And it is Treason to Counterfeit it.

Now tho' the King has Limited himself by way of Concession, not to make Laws without the Three Estates, yet he has not Parted with any of his Prerogative to them ; nor Parcell'd out the Supreme Power among the Three Estates, as some foolishly think. For all Power is *One* and in-divisible whether in the

the Hands of One or Many. There must be a *Dernier Resort*, or there can be no Government. And where this is in an Assembly, that Assembly is one Body, as one Person, and the particular Persons who compose that Assembly have not the power shared among them, none of them have any part of the Power at all, for the Act of the Body, only is the Law.

In such a Constitution it is necessary, that every Member of this Assembly should have Free and Equal Votes, that one should not have a Commanding Power over another. Nor the Power of one be derived from another. But every Member sits there by the same Authority. But how different is this from our Constitution? Where the King is *Supreme* and *Sovereign*, and his Crown *Imperial*! Where both Houses of *Lords* and *Commons* style themselves his Majesty's most Dutiful and Loyal Subjects! And take Oaths of Allegiance to him, asserting him to be the *only Supreme Governour*, in *all Causes* and over *all Persons*: Whose Authority gives *Being to*, and *Creates* the Parliament and *Dissolves* them at his pleasure, with the Breath of his Mouth! Infomuch, that the same Persons Meeting without his Authority, are an *Unlawful Assembly*, and Punishable by the Law! How then can this Authority be derived from them, can the *Creature* make his *Creator*? Are they then Co-ordinate Powers with Him, who derive what Authority they have from him?

Now the use I make of these Things, is to shew, that neither the Constitution or Privileges of Parliaments are *Original Rights*, or
Fundamentals

Fundamentals ; but *Variable* and *Changeable*. Nor do they flow from the *People* at all, but are and ever were the *Concessions* and *Grants* of *Kings*, and nothing else.

But as to *Limitations* of *Coercion*. No Supreme Power can Grant any such. Because it *ipso Facto* Dissolves the Government. For it sets up a *Power* that is *Superior* to the Supreme, which is a Contradiction : And the *Supreme* does *Ipso Facto* cease to be Supreme, and that other Superior becomes Supreme. And if Power of *Coercion* be given to another over that Superior, that other becomes Supreme, and so *ad Infinitum*. There can be no Basis or Centre of Government at this rate. Therefore my Lord Bacon sets this down as a Maxim of our Law as well as Reason, That *Suprema Potestas seipsam Dissolvere potest, Ligare non potest*, The Supreme Power may Dissolve it self, but cannot Limit it self. This is to be understood of Limitations of *Coercion*. For no doubt the Supreme Power may grant *Concessions*, but not so as to give any other Power over it self, for that Dissolves it.

Now as it is Absur'd and Blasphemous to say, thtt God can Limit himself so as to put Himself under the *Coercive* Power of any. So is it Treasonable and Inconsistent with Government, to say, that the King can. And this is sufficiently secured in several Acts of Parliament, which declare, that neither the Parliament nor the People either *Collectively* or *Representatively*, have any *Coercive* Power over the King.

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My Father, as my King, may *Limit* the Power he has over me by Concessions to me. But to say that this infers a *Coercive* Power in me over Him, so that if he breaks those Conditions to me as I think or please to pretend, I may Lawfully lay Hands upon Him, turn him out of Doors, and seize upon his *House* and *Inheritance* for my self. This Principle would dissolve all Relations, as betwixt Children and Parents, so betwixt King and Subjects, Servants and Masters, in short, all Mankind.

To bring this Argument to a Conclusion, if Monarchy is of Divine Institution, and Hereditary Succession to this Monarchy has the same Original ; if Kings are Accountable to God only, and the People have no manner of Right to claim any Coercion over them as has been proved to a Demonstration, it follows of Course, that no King whatsoever can Forfeit the Right which God and Nature has given him, on Account of Religion or any other Motive : For it is most certain, that tho' the Obligation between Prince and People were mutual, yet the whole People tho' met altogether, could not of themselves Punish their own Head. Therefore the best Security we can have against Tyranny in our Governours, is by a Dutiful Submission, to encourage them to be good to us ; and by Loyal Principles, to render them safe and Secure in whatever Concessions they shall please to give us. No Man ever hateth his own Flesh, but loveth and cherisheth it. All Men desire to preserve their own Possessions, and what belongs to them. The Glory of a King is the Multitude, the Riches. and
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the strength of his Subjects and while they are true to Him he must wish their Prosperity. But Provocations and Eternal Teazing, the Dis-Loyalty and Rebellion of Wives, Children, Servants, and Subjects, may make a Man hate his own House, and seek all Measures to Reduce them. Besides all Offences in Relation to false Worship, as Idolatry, &c, are immediate Sins against God, who is Jealous of his own Honour, and will most certainly Avenge Himself of all such Princes as do any Thing in Violation of it, wherefore they are to be left to the Judgments of the Divine Being, not the Determinations of the giddy and Unthinking Populace.

F I N I S.

